

Appl. No. 09/644,752
Amdt. Dated July 28, 2006
Reply to Office Action of June 9, 2006

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REMARKS

Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Claims 1-8, 10-21, 23-32, and 34 are now pending in this application, with Claims 1, 12, and 24 being the independent claims. Claims 1, 10, 12, 23, 24, and 34 have been amended, and Claims 9, 22, and 33 have been cancelled herein. No new matter is believed to have been added.

Rejections Under 35 U.S.C. § 102

Claims 1, 5, and 8 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 4,941,187 (Slater). This rejection is respectfully traversed.

Independent Claim 1 now recites, *inter alia*, detecting an aircraft operation that does not have an audible sound associated therewith; and adding synthesized sounds to the audio inputs that correspond to the detected aircraft operation. This feature is not disclosed, or even remotely suggest, in Slater.

Reconsideration and withdrawal of the § 102 rejection is, therefore, requested.

Rejections Under 35 U.S.C. § 103

Claims 1 and 4 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,798,458 (Monroe '458) in view of U.S. Patent No. 6,545,601 (Monroe '601). Claims 5 and 11 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Monroe '458 in view of Monroe '601 as applied to Claim 1 above, and further in view of U.S. Patent No. 4,831,438 (Bellman, Jr.). Claims 2, 3 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Monroe '458 in view of Monroe '601 as applied to Claim 1 above, and further in view of U.S. Patent No. 5,228,093 (Agnello). Claims 12-15, 17, 19-21, 24-27, 29, 31, and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Monroe '458 in view of Monroe '601 and further in view of Agnello. Claims 16 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Monroe '458 in view of Monroe '601 and further in view of Agnello as applied to Claims 14 and 26 above, and further in view of Bellman, Jr. Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Monroe '458 in view of Monroe '601 as applied to Claim 1 above, and further in view of U.S. Patent 5,319,359

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(Zampini et al.) Claims 18 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Monroe '458 in view of Monroe '601 and further in view of Agnello as applied to claims 12 and 25 above, and further in view of Zampini et al. Claims 9 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Monroe '458 in view of Monroe '601 as applied to claim 1 above, and further in view of U.S. Patent 6,275,590 (Prus). Claims 22, 23, 33 and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Monroe '458 in view of Monroe '601 and further in view of Agnello as applied to claims 12 and 24 above, and further in view of Prus. These rejections are respectfully traversed.

In addition to being recited in independent Claim 1, each of independent Claims 12 and 24 now also recite, *inter alia*, detecting an aircraft operation that does not have an audible sound associated therewith; and adding synthesized sounds to the audio inputs that correspond to the detected aircraft operation, or at least features commensurate in scope with this recitation. Applicants have carefully reviewed each of the citations of record, and do not believe that any of these references disclose, or even remotely suggest at least this feature.

Applicants do note that Prus was cited for its teaching of an engine noise synthesizer. In particular, Prus discloses a tachometer, which measures the rotational speed of an engine, and a sound synthesizer, which simulates the sound of the engine based on the rotational speed of the engine that is detected by the tachometer. However, nowhere does Prus teach or suggest detecting an aircraft operation that does not have an audible sound associated therewith. Indeed, the tachometer of Prus is detecting an operation that DOES have sound associated therewith – the rotation of the engine. Moreover, Prus should not, and should never have been, used in making a *prima facie* rejection, given that it is wholly non-analogous art. In particular, the skilled artisan in the field of aircraft operations would not look to technologies in the areas of novelty noise generating devices to learn how to supply feedback sounds to a pilot that correspond to aircraft operations that have no audible sounds.

In view of the foregoing, reconsideration and withdrawal of the § 103 rejections is requested.

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Conclusion

Based on the above, independent Claims 1, 12, and 24 are patentable over the citations of record. The dependent claims are also deemed patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favourable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: 7/28/06

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